



**Dear Readers,**

as usual, we come to you with a selection of the most interesting HR news and topical issues of the past week.

**LIABILITY OF COLLECTIVE ENTITIES COMES BACK**

A bill to amend the Act on Criminal Liability of Collective Entities has been added to the government's legislative work agenda. There are a lot of changes in the pipeline. Conviction of an individual will no longer be a condition for the liability of a collective entity. The level of penalties is to be increased to 30 million zlotys. The act will include a list of persons for whom a collective entity will be liable. This applies particularly to the members of the board of directors, but also to representatives and employees. The entity will be liable for their actions if it has gained any advantage, even a non-financial one, or had the opportunity to do so as a result of such activities.

**THE SECOND FINAL BILL AMENDING THE LABOUR CODE**

On 8 August, another bill transposing the transparent employment conditions and work-life balance directives into the Labour Code was published on the government legislation website. Although the deadline for the directives implementation was 1 and 2 August, the legislator is not in a hurry to enact the legislation. By contrast, employers will only have 21 days to adjust to the new rules.

**YEARS OF SERVICE COUNTED PROPORTIONALLY FOR PART-TIME WORK**

In the 7 July 2022 judgment, the CJEU held that under EU rules it is possible to count the length of service for a part-time employee proportionately to the time work has actually been performed. However, Polish laws do not provide for such an option. Ref. C 377/21.

**EMPLOYMENT LEGALITY TO COME UNDER CLOSE SCRUTINY BY LABOUR INSPECTORATE**

In 2021, the National Labour Inspectorate has carried out 11,500 checks for the legality of employment of Polish and non-national citizens. In about half of the cases, some irregularities have been found. According to the head of the Chief Labour Inspectorate's Legality of Employment Department, it is because penalties for circumventing the labour laws are relatively low. More frequent labour inspections are to be expected.

**OCCUPATIONAL MEDICINE TO TACKLE EMPLOYEE MENTAL HEALTH?**

Employee mental health is deteriorating. A large part of sick notes is issued for mental disorders. The Lewiatan Confederation suggests that it may be reasonable to include mental health preventive examinations into the occupational medicine checks agenda. It could have a positive impact on employee attendance and productivity.

Please do not hesitate to contact us:

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**UPCOMING EVENTS**

- **Webinar: "Workation" - how to reasonably approach the new trend and manage employee expectations?** - 17 August 2022, 11:00-11:45, online. More: [here](#).
- **Healthy Workplace: OHS is a bone of contention with trade unions.** - 18 August 2022, 11:00-11:45, online. More: [here](#).